

DECLASSIFIED

From: Charles Faultry
To: Valmichael.Lee
Cc: Wren Stepper; Mark Payco; Barbara Mann; Stephen Laboss; Carlos Sanchez; Donald Williams
Subject: Fw: San Jacinto - Please respond quickly
Date: 01/27/2011 12:41 PM

Valmichael;

I need you to respond to the PRP email requesting a meeting. Below is Sam's schedule for meeting with them. Also your response should include a request for an Agenda and all supporting documents prior to the meeting. Quick turn around.

----- Forwarded by Charles Faultry/R6/USEPA/US on 01/27/2011 12:31 PM -----

From: Sam Coleman/R6/USEPA/US
To: Charles Faultry/R6/USEPA/US@EPA
Date: 01/27/2011 12:21 PM
Subject: Fw: San Jacinto - Please respond quickly



9368653

Samuel Coleman, P. E.
Director, Superfund Division, Region 6
214.665.6701
214.789.2016
coleman.sam@epa.gov
www.epa.gov/region6/index.htm



----- Forwarded by Sam Coleman/R6/USEPA/US on 01/27/2011 12:21 PM -----

From: Sam Coleman/R6/USEPA/US
To: Suzanne Murray/R6/USEPA/US@EPA, Lawrence Starfield/R6/USEPA/US@EPA
Cc: "Sam Coleman" <coleman.sam@epa.gov>, Lawrence Starfield/R6/USEPA/US@EPA, "Mark Peycke" <peycke.mark@epa.gov>, "stenger wren" <stenger.wren@epa.gov>
Date: 01/27/2011 12:21 PM
Subject: Re: San Jacinto - Please respond quickly

I met with the PRP's in November 2010. I asked them to return to meet with us as often as needed. They are currently in violation of an Agreed Order. We are absolutely open to a meeting. However, my plan was to meet at the site as soon as they begin the work. They have effectively refused to meet with us up to now, because we insisted that the work begin as agreed in the AOC.. Work was scheduled to begin in early Dec 2010. The AOC has been in place since May 2010. The workplan was approved 6 months later , with work scheduled to begin around Dec 5. I am in OK on Friday (1/27), but can meet with them between 7 and 9 am before my flight. I can meet with the PRP's on Saturday (1/28) or Monday (1/31). Next Tuesday thru Thursday, I am in Orlando. I can meet with them anytime next Friday.

Sue's note does not provide all of the current information relating to the ongoing issues related to the start of work. The working relation on our part is fine. The PRP's failure to comply with the AOC is not a relationship issue, rather, we are asking that they follow their agreements.

Samuel Coleman, P. E.
Director, Superfund Division, Region 6
214.665.6701
214.789.2016
coleman.sam@epa.gov
www.epa.gov/region6/index.htm



From: Suzanne Murray/R6/USEPA/US
To: Lawrence Starfield/R6/USEPA/US@EPA, "Sam Coleman" <coleman.sam@epa.gov>
Cc: "Mark Peycke" <peycke.mark@epa.gov>, "stenger wren" <stenger.wren@epa.gov>
Date: 01/27/2011 11:37 AM
Subject: Re: San Jacinto - Please respond quickly

I would defer to Sam, but typically would say a meeting to discuss the EN case with you (which this is) is not productive. We are coordinating appropriately and they have a meeting on Feb 2. Does it make more sense to wait until after that meeting to see if there are any issues to discuss?
Suzanne Murray, Regional Counsel, R6

----- Original Message -----

From: Lawrence Starfield
Sent: 01/27/2011 11:30 AM CST
To: Suzanne Murray; coleman.sam@epa.gov
Cc: peycke.mark@epa.gov; stenger.wren@epa.gov
Subject: San Jacinto - Please respond quickly

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Please update me on your view of this case. I'm always open to meeting with a company, if appropriate. What do you think?

Larry

----- Forwarded by Lawrence Starfield/R6/USEPA/US on 01/27/2011 11:30 AM -----

FW: Request for a meeting tomorrow if at all possible

Briggum, Sue

to: Lawrence Starfield

01/27/2011 11:06 AM

Cc:

"Smith, March"

Larry – We are hoping you may be able to find time in your schedule tomorrow to talk about San Jacinto. This is why I left a message hoping can talk this afternoon.

As you may know, be aware, as of Monday, January 24, we have access agreements with TxDOT and two other property owners in the area so that we can continue to implement the Time Critical Removal Action at the San Jacinto River Waste Pits Superfund Site, as outlined in the Removal Action Work Plan. We would like to personally let you know that we are committed completing the approved Removal Action Work Plan as expeditiously as possible and would like to come to Dallas to meet with you to discuss our path forward and schedule.

Our people in the field assure me that our construction contractor, USA Environment, is actively completing the surveying and locating utilities in the TxDOT right-of-way as we write, and will start clearing, grubbing, grading and laying geotextile fabric for the access road base within the next week. We will be concurrently preparing the LaBarge and Market Street Sites for the additional stockpiling and construction management offices. All removal action cover materials have been ordered and stockpiled, and the material testing is underway so that as soon as the access road to the impoundments is completed, we can start clearing and placing the cover materials as outlined in the work plan.

We have requested a construction planning meeting with EPA on Wednesday, February 2 in Channelview with Valmichael Leos to review construction planning documents and a revised TCRA implementation schedule. In the interim, we would like to come to your office tomorrow to reiterate our commitment to this project and provide you an update on our overall project schedule. Attendees would include March Smith (MIMC representative), Phil Slowiak (Remediation Manager, International Paper) and David Keith (Project Coordinator, Anchor QEA, LLC). We are aware that the working relationship between the Respondent and the EPA Region has been somewhat strained during access negotiations. We would very much like to see those relationships repaired, so that we may all continue forward in a cooperative manner to implement the TCRA work. We know this is a high priority for EPA, and we would very much appreciate the opportunity for our technical team to brief you on what we are planning and to express our hope that our work with the Agency can be productive and expeditious.

This is an extremely important project for us and we would appreciate any time that you can spare.

Thanks,
Sue